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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CYNTHIA GOODWYN,

Plaintiff,

VS.

ALBERTSON'S LLC,

Defendant.

Case No. 2:18-cv-01754-JAD-EJY

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES
(EIGHTH REQUEST)**

In accordance with Local Rules of Practice for the United States District Court for the District of Nevada (“LR”) 26-4, Defendant Albertson’s LLC (“Defendant”), by and through its counsel of record, the law firm of BACKUS, CARRANZA & BURDEN, and Plaintiff Cynthia Goodwyn (“Plaintiff”), by and through her counsel of record, the law firm of SGRO & ROGER, hereby stipulate and agree to an extension of all remaining discovery deadlines by sixty (60) days. The parties propose the following revised discovery plan:

DISCOVERY COMPLETED TO DATE

The parties have exchanged initial and supplemental disclosures of documents and the names of individuals with knowledge of the facts pertaining to the claims set forth in this matter.

The parties have propounded and responded to written discovery requests including interrogatories and requests for production. Defendant has subpoenaed Plaintiff's medical

1 records and taken Plaintiff's deposition. Plaintiff has taken the deposition of Defendant's FRCP
 2 30(b)(6) witness. The parties have made initial and rebuttal expert disclosures.

3 **DISCOVERY TO BE COMPLETED**

4 The parties intend to take the deposition of experts, Plaintiff's treating physicians and other
 5 percipient witnesses.

6 **REASONS FOR EXTENSION TO COMPLETE DISCOVERY**

7 With Nevada now starting to loosen some of its Stay-At-Home restrictions, there has
 8 been an uptick in COVID-19 cases. On June 15, 2020, Governor Sisolak held a news conference
 9 where he announced that Nevada is "not ready to enter Phase 3 of reopening" due to the rising
 10 number of COVID-19 cases.¹ Thus, to combat the spread of COVID-19, counsel for the parties
 11 continue to practice social distancing to the extent possible which has and continues to
 12 significantly impact their ability to conduct discovery and meet the applicable deadlines. The
 13 parties however realize that expert depositions must go forward and will do so via Zoom
 14 technology. Moreover, the parties intend to participate in mediation and will briefly limit some
 15 discovery to avoid incurring additional fees and costs in the event that the mediation is successful.
 16 The parties therefore request for a 60-day extension of the remaining discovery deadlines. This
 17 request is made in good faith, not for the purpose of delay.

18 **PROPOSED NEW DISCOVERY DEADLINES**

19 **Discovery Cutoff:**

20 Currently: August 3, 2020

21 **Proposed: October 2, 2020**

22
 23 ¹ The parties request that the Court take judicial notice of the news article by KTNV Las Vegas reporting that
 24 Governor Sisolak stated at a press conference on June 15, 2020 that "we are not ready to enter Phase 3 of reopening"
 25 and that "the number of new COVI-19 cases is in the middle of a 3-week upward trend." See *Lyon v. Gila River
 Indian Cnty.*, 626 F.3d 1059, 1075 (9th Cir. 2010) (internal quotation marks and citations omitted) (Courts may take
 judicial notice of facts whose existence is capable of accurate and ready determination by resort to sources whose
 accuracy cannot reasonably be questioned). A copy of the article is attached here to as **Exhibit A**.

Dispositive Motions:

Currently: September 4, 2020

Proposed: November 3, 2020

Pretrial Order:

Currently: October 5, 2020, or 30 days after resolution of dispositive motions per Local Rule 26-1(b)(5)

Proposed: December 4, 2020, or 30 days after resolution of dispositive motions per Local Rule 26-1(b)(5)

DATED: this 13th day of July, 2020.

DATED: this 13th day of July, 2020.

SGRO & ROGER

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ORDER

19 Before the Court is the Stipulation and Order to Extend Discovery Deadlines (ECF No. 48).
20 The Court grants the parties' stipulation; provided, however, the Court advises that depositions, to
21 the extent possible should be taken by videoconference and, as such, no further extensions of time
22 will be granted absent demonstration of efforts to complete specific discovery and explanation of
why such discovery could not be completed. 

UNITED STATES MAGISTRATE JUDGE

Dated: July 14, 2020